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2014 DEC 30 PM 4 58

UNITED STATES DISTRICT COURT
U.S. DISTRICT COURT
DISTRICT OF MASS.
DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA)
)
) No. 13-CR-10200-GAO
v.) FILED UNDER SEAL
)
DZHOKHAR TSARNAEV)

MOTION TO SEAL

Defendant, Dzhokhar Tsarnaev, by and through counsel, respectfully requests leave to file his Reply to the Government's Opposition to Motion to Exclude Toolmark Identification Evidence and Request For Daubert Hearing under seal. Leave to file under seal is requested because the motion concerns non-public discovery and evidentiary disclosures that are subject to the Protective Order [DE 91] in this case. Recognizing that some or all of the materials referred to in the motions may well become public during trial, defendant requests only that the documents remain under seal until such time as public disclosure at a pre-admission hearing or at trial is necessary. While the Government does not concede that sealing is legally required, it assents to the motion in an abundance of caution.

Respectfully submitted,

DZHOKHAR TSARNAEV

By his attorneys



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Certificate of Service

I hereby certify that this document was served on counsel for the government by email and paper copy by interoffice delivery on December 30, 2014.



Timothy Watkins